



**MINUTES OF THE MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 23, 2003, 8:00 p.m.**

MEETING

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriguez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATION: Pride in Hayward Award

The Pride in Hayward Award Recipients for September 2003 were residents from the Mt. Eden neighborhood. They included David and Cindy Yuan; Lloyd Wood; Mabel Quon; Ronald and Rae Uovich; and Gerard and Lawoona Collier. Mayor Cooper thanked them all for helping to make Hayward and their neighborhood a more beautiful place.

PUBLIC COMMENTS

Barbara H. Swarr asked several questions regarding the improvements to businesses in the downtown area, the future of a theater, and impacts to the budget due to salaries in the Police Department.

Jason Moreno made several announcements. He announced that the Hayward Friends of Animals is selling Entertainment Books that benefit the animal shelter. He also announced that he was forming a support group for home school students to learn Spanish.

Sherman Lewis, representing the Hayward Area Planning Association spoke and discussed the Foothill Mission plans. He reported that he prefers not to see such a widening position for Mission Boulevard and pointed out specific businesses that will be impacted by the right-of-way.

Tony Daysog, Council Member of Alameda, presented Council Member Hilson with a certificate of appreciation in recognition of his over ten years of being on the Alameda County Community Action Program (ACAP) Governing Board. Leola Jones, Director of ACAP, commented that her organization is acknowledging the great work of the board members who participate in community action providing housing, training opportunities, and employment services to those in need.

Mayor Cooper thanked them for this presentation and acknowledged Council Member Hilson. He commented on his participation and the limited federal funding that seems to be continuously dwindling. He described the opportunities that are offered to those in need.

CONSENT

Item 2 was removed for further discussion.

1. Approval of Minutes of the City Council Meeting of September 16, 2003

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried to approve the minutes of the City Council Meeting of September 16, 2003 with minor revisions.

2. Approval of Increase in Tow Operations Fees

Staff report submitted by Traffic Bureau Sergeant Akacsos, dated September 23, 2003, was filed.

Jason Moreno commented on the fee schedule, tow companies and the Police Department.

It was moved by Council Member Dowling, seconded by Council Member Ward, and carried with Council Member Hilson voting no to adopt the following:

Resolution 03-129, "Resolution Adopting a Revised Tow Operations Fees Schedule Pursuant to Hayward Municipal Code Section 6-8.30"

3. Adopt Ordinance Regarding Revisions to Hayward Municipal Water System Code

Staff report submitted by City Clerk Reyes, dated September 23, 2003, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried to adopt the following:

Ordinance 03-13, "An Ordinance Amending Chapter 11, Article 2 of the Hayward Municipal Code by Adopting a Revised Hayward Municipal Water System Code"

HEARINGS

4. Appeal of Planning Commission Denial of Variance Application No. PL-2003-0219 - To Retain 750-Square-Foot Carport that is 2- to 2-1/2 Feet from the Property Line and Exceeds 40 Percent of the House Area - Roberto Lomeli (Applicant/Owner) - The Property is Located at 956 Folsom Avenue



**MINUTES OF THE MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 23, 2003, 8:00 p.m.**

Staff report submitted by Associate Planner Camire, dated September 23, 2003, was filed.

Planning Manager Anderly made the staff report, depicting the property line and noting that the structures are not visible from Folsom Avenue. She also commented on various issues conflicting with the building code. She commented on the smaller garage, which was approved by the Planning Commission.

Council Member Hilson suggested the appearance seems to be the location of a business.

Planning Manager Anderly responded that the vehicles belong to other members of the family. She noted that a property survey would be necessary were this approved.

Council Member Henson also discussed the property line relative to the building.

Council Member Ward asked whether the two structures were built at the same time. He noted that if they were, their diversity seemed strange.

Council Member Rodriguez commented on the complaint and whether it was a neighbor. She asked whether there would be alternative parking were the applicant to tear down the structure.

Council Member Jimenez asked how the applicant could qualify this structure.

Mayor Cooper opened the public hearing at 8:41 p.m.

Alberto Lens, a neighbor, said he supports the application since the present structure and the improvements are more attractive than what was there previously.

Eugene Marangoni, a librarian, who was assisting neighbors who needed Spanish language translation, submitted a statement from three neighbors supporting the carport.

Mayor Cooper closed the public hearing at 8:45 p.m.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 03-130, "Resolution Finding the Project Categorically Exempt from CEQA Review and Denying Variance Application No. PL-2003-0219"

5. Blue Rock Country Club - Hayward 1900, Inc. (Applicant/Owner), Request for Extension of Precise Development Plan No. 97-120-02

Staff report submitted by Planning Manager Anderly, dated September 23, 2003, was filed.

Mayor Cooper opened and closed the public hearing at 9:02 p.m.

It was moved by Council Member Jimenez, seconded by Council Member Hilson, and unanimously carried to adopt the following:

Resolution 03-131, "Resolution Approving an Extension of Time Within Which a Building Permit Application May Be Accepted for Precise Development Plan No. 97-120-02"

COUNCIL REPORTS

Council Member Hilson discussed his recent attendance at the League of California Cities conference in Sacramento. He noted discussions with local legislators, the support of an initiative to favor cities, the necessity of the VLF funding, and the need for cities to work with state colleges and universities to improve relations and to discuss mutual benefits. He recommended that the Council adopt a resolution of support towards the initiative. He also reported on his attendance in Denver to participate in a National League of Cities committee related to technical issues, which include proposed changes to FCC regulations. While there, he attended a National Association of Telecommunication Officers and Advisors meeting to discuss serious challenges that face cities.

Council Member Dowling thanked the Council for its support towards the Hayward Pride Festival. He noted that the expectation was approximately 500 to attend, while nearly 1,100 attended the recent event, resulting in some profit. With this in mind, Hayward's financial support may not be needed next year.

Council Member Henson also attended a National League of Cities session related to local law enforcement. He reported that the local law enforcement block grant program funds would be reduced and perhaps merging with state-based funds eliminating direct funding to cities. He asked for a letter of support to continue this program and not support the state merger. He also noted that the COPS program is also in jeopardy.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 9:08 p.m., with Council Member Jimenez requesting adjournment in memory of two friends Tom Goff, a columnist and sports activist as well as Steve Pineda, Pastor of Victory Outreach, who served those in need.



**MINUTES OF THE MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 23, 2003, 8:00 p.m.**

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward